

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DARLENE JACKSON,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

CIVIL DIVISION

NO.: CA05-33 Erie

**MOTION TO AMEND CASE  
MANAGEMENT ORDER TO EXTEND  
DISCOVERY AND DISPOSITIVE  
MOTION DEADLINES**

FILED ON BEHALF OF:

PLAINTIFF

COUNSEL OF RECORD FOR THIS PARTY:

**JURY TRIAL DEMANDED**

SEAN P. DUFF, ESQUIRE  
PA. I.D. NO.: 88853

PATBERG, CARMODY, GING & FILIPPI  
504 STATE STREET, SUITE 200  
ERIE, PA. 16501

(814) 874-0558

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DARLENE JACKSON,	)	CIVIL DIVISION
	)	
Plaintiff,	)	NO.: CA05-33 Erie
	)	
v.	)	
	)	
WAL-MART STORES, INC.,	)	
	)	
Defendant.	)	<b><u>JURY TRIAL DEMANDED</u></b>

**MOTION TO AMEND CASE MANAGEMENT ORDER TO EXTEND DISCOVERY  
AND DISPOSITIVE MOTION DEADLINES**

AND NOW, comes the Plaintiff, Darlene Jackson, by and through her attorney, Sean P. Duff, Esquire and Patberg, Carmody, Ging & Filippi, and moves this court for an Order Amending the Case Management Order to Extend the Discovery and Dispositive Motion Deadlines. In support of this Motion, the Plaintiff states:

1. By prior Order, Discovery in this matter is to be completed on or before October 14, 2005, with Motions for Summary Judgment to be filed on or before November 18, 2005. To date, written information has been exchanged and the deposition of the Plaintiff has been taken, however, several depositions of representatives of the Defendants have yet to be taken.

2. The Plaintiff has also submitted a demand in an effort to resolve this matter without further litigation and has been advised by Defendant that they were considering the same.

3. Plaintiff anticipates that all discovery can be completed within an additional sixty (60) days from October 14, 2005.

4. Counsel has discussed this matter with counsel for the Defendant and they have consented to such an extension.

5. This Motion is not presented for the purpose of delay or dilatory conduct. Neither party will be prejudiced by the granting of this short extension.

WHEREFORE, the Plaintiff respectfully requests this honorable court enter an Order amending the Case Management Order and extend the discovery and Dispositive Motion deadlines, and all of the previously scheduled dates sixty (60) days.

RESPECTFULLY SUBMITTED,

PATBERG, CARMODY, GING & FILIPPI

DATE: 10/17/05

By: 

Sean P. Duff, Esquire

PA. I.D. No.: 88853

PATBERG, CARMODY, GING & FILIPPI

504 State Street, Suite 200

Erie, Pa. 16501

(814) 874-0558

Attorneys for Plaintiff.

**CERTIFICATE OF SERVICE**

I, Sean P. Duff, Esquire, hereby certify that a true and correct copy of the within Motion to Amend the Case Management Order to Extend the Discovery and Dispositive Motion Deadlines was served upon the following parties this 17 day of October, 2005 by U.S. First Class Mail as follows:

Lorena E. Ahumada  
Ballard Spahr Andrews & Ingersoll  
1735 Market Street, 51<sup>st</sup> Floor  
Philadelphia, Pa. 19103



Sean P. Duff, Esquire